

— WILLIAMS — HART & BOUNDAS

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Senior District Judge Charles R. Breyer
San Francisco Courthouse
Courtroom 6, 17th Floor
450 Golden Gate Avenue
San Francisco, California 94102
Via CM/ECF

Re: *In re Uber Technologies, Inc., Passenger Sexual Assault Litigation*, MDL No. 3084, Application for Appointment to the Plaintiffs' Steering Committee

Dear Honorable Judge Breyer,

I am interested in serving as Co-Lead Counsel on behalf of the plaintiffs in this proceeding. Pursuant to Pretrial Order No. 3, I am providing this letter as part of my application to be appointed to the Plaintiffs' Steering Committee (PSC).

I am the managing partner of Williams Hart & Boundas, LLP (WHB) located in Houston, Texas. My firm has litigated rideshare sexual assault cases for more than three years and appreciates your intent to quickly advance these cases. We have three cases filed in this proceeding, Jane Does F-1, F-2, and F-3. We represent the majority of claims filed in Uber JCCP 5188 and about 900 claims that satisfy the diversity requirements to be coordinated in this proceeding. In the event that our appeal of the FNC ruling fails, these claims will be filed in this proceeding.

My firm's docket against Uber is of utmost priority, and I am personally at the helm of our efforts. We are one of the four member firms of the Plaintiffs' Leadership Counsel in Uber JCCP 5188. The firms have self-funded the litigation, and I will continue to invest resources, time, and capital. Since 2021, we have survived dispositive motion practice and developed a framework to prepare for bellwether trials set for May 2025. We have confronted many complexities that will emerge in this proceeding, and I have gained a wealth of experience and knowledge that will facilitate the PSC efficiently achieving success.

My firm has taken a similar approach in Lyft JCCP 5061, with the same four firms having joined forces. Since 2020, the firms have taken about 38 depositions and formulated a full trial strategy. These firms have talent of the highest caliber and appreciate the sensitive nature of sexual assault cases. I encourage the PSC to capitalize on the synergy among these firms and recommend Bill Levin, Steve Estey, and Celine Cutter for the PSC. As for Co-Lead Counsel, I recommend Sarah London and/or Roopal Luhana. I recommend these attorneys in order for the PSC to consist of member firms that have been retained by the plaintiffs to serve their best interests and that are capable of effectively coordinating both proceedings.

I founded WHB in 1983, with a focus on representing plaintiffs, after beginning my career as a defense attorney at Fulbright & Jaworski. My firm has earned a reputation for managing mass actions and has been at the forefront of asbestos, silicosis, benzene, welding rod fume, and bad drug litigation. I have devoted my 45-year career to complex litigation and tried over 100 lawsuits to verdict. Since 1982, I have been Board Certified in personal injury trial law. I am fully committed to my cases and owe my success to fostering an environment that values teamwork. Because of these efforts, my firm has recovered over \$20 billion for clients.

My seminal career achievement has been the \$17.6 billion settlement of the lawsuit the State of Texas brought against Big Tobacco—the largest settlement in United States history. The lawsuit is credited for changing how Big Tobacco “does business” and for discouraging teenagers from smoking. I have always been driven by the public impact of litigation and urge the PSC to seize the opportunity to enact industry-wide change. This proceeding should be a catalyst to prevent widespread incidents of sexual assaults in rideshares.

Professional Experience in this Type of Litigation and Judge Contact Information

I have served as lead counsel and in leadership positions, and the following cases illustrates some of my more relevant experiences:

- ***In re Lyft Rideshare Cases***, JCCP 5061 (Sup. Ct. San Francisco, Ca. 2020)
J. Andrew Cheng, Clerk’s Telephone: 415.551.3840
- ***In re Uber Rideshare Cases***, JCCP 5188 (Sup. Ct. San Francisco, Ca. 2021)
J. Ethan Schulman, Clerk’s Telephone: 415.551.3729
- ***The State of Texas v. Am. Tobacco Co., et al.***, No. 5-96CV-91 (E.D. Tex. 1996)
Ret. C.J. David Folsom, Telephone: 903.277.7303, Email: david@folsomadr.com
I was selected as counsel for the State of Texas and took a lead role in determining a viable damage model. The entire case was trial-ready within 20 months.
- ***Miguel Arenazas, et al. v. BP Amoco Chem. Co., et al.***, No. 05-CV-0337 (212th Judicial Dist., Galveston Cnty., Tex. 2005)
Ret. J. Susan Criss, Telephone: 409.515.6176
I supervised and coordinated discovery for the refinery explosion litigation. I took several key depositions and negotiated a global settlement for my firm’s cases within 18 months.
- ***In re Vioxx Products Liab. Litig.***, MDL 01657 (E.D. La. 2005)
J. Eldon E. Fallon, Clerk’s Telephone: 504.589.7545
My firm worked with a consortium of other Texas firms. I managed a docket of over 2,000 claims, and we tried a case to verdict in New Orleans, Louisiana.
- ***PCB Litigation***- I served as lead counsel on nearly 700 cases against Monsanto. We tried 16 bellwether cases and obtained a \$46.5 million verdict and \$100s of millions in settlements.
- ***Schmidt v. Abbott Labs.***, No. 1222-CC02479-01 (Mo. Cir. Ct., St. Louis 2012)
E.R.G. v. Abbott Labs., No. 15-CV-00702 (S.D. Ill. 2015)
B.F., et al. v. Abbott Labs., No. 12-CV-01760 (E.D. Mo. 2012) (S.J. Charles Shaw, decd.)
J. Steven R. Ohmer, Clerk’s Telephone: 314.622.4433
J. Nancy Rosenstengel, Clerk’s Telephone: 618.482.9172
My firm served on the Depakote litigation’s leadership. As lead trial counsel, I secured a \$38 million verdict upheld on appeal, \$15 million verdict that settled, and mid-trial settlement.

Commitment to Litigation and Working Cooperatively and Access to Resources

I take pride in my ability to work cooperatively with colleagues in the legal profession. I have benefitted from working with quality and committed attorneys and from the comradery that develops. I have long-standing relationships with many attorneys involved in this proceeding, including defense counsel, who also represent Uber in the JCCP. My goal is to advance this proceeding in a cohesive and timely manner. I have made it a point to reach out to and meet with other attorneys to create a unified front. We have mulled over strategy, anticipated motion practice, submitted filings, and worked on ESI protocols and fact sheet forms. Early on, it was paramount that we ensured the preservation of documents.

I intend to continue to devote my working time to this proceeding and my firm's rideshare docket. This is optimal and doable given the significant overlap in the proceedings. I have over 100 attorneys and staff members at my firm and dedicated a team with mass tort experience to this proceeding. The team consists of 7 attorneys and 12 staff members. I have worked with several of these team members for the last 30 years and take pride in their abilities and work ethic. Three attorneys have attained partnership; two attorneys have been appointed in the leadership of Lyft JCCP 5061 and Uber JCCP 5188; and one attorney has been licensed to practice law in the State of California. The team is diverse, with more than half of the team members identifying as female. I also have an outside group of counselors and therapists to assist the plaintiffs traumatized by and suffering from sexual assault.

My firm has the resources to pursue thousands of claims in a timely and skilled manner. It has experience, personnel, technology, and facilities, and the ability to self-fund litigation. In order to promote best practices, and reduce waste, duplication, and inefficiency, I would counsel against an overly large PSC and recommend that self-funding be considered. The PSC should be unified, diverse, skilled, and knowledgeable and serve the best interests of the plaintiffs. Appointing me as Co-Lead Counsel would be a key step in accomplishing just this.

Additional Considerations

I grew up as the son of working-class parents and quickly learned to root for the underdog and understand the hardships faced by many. I attended Baylor Law School, where I served as the law review's editor-in-chief and graduated as valedictorian. I was inducted into the Trial Lawyer Hall of Fame and received the Texas Trial Lawyers Association's lifetime achievement award. My resume lists my other awards and honors. I am passionate about increasing access to justice through pro bono services and helping the community through various charities and causes.

While my experience has focused on being a trial attorney and litigator, and not necessarily on being an MDL committee person, I believe my case management, trial, and overall experience will be of great benefit to this proceeding. I have never applied to be a co-lead counsel in the past and do not anticipate applying to be a co-lead counsel in the future. But I am passionate about this proceeding and very much welcome the opportunity to serve.

Yours truly,


John Eddie Williams, Jr.